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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,389	07/17/2006	Daniel Horst	3826 1116US	3846

29894 7590 12/28/2007  
DREISS, FUHLENDORF, STEIMLE & BECKER  
POSTFACH 10 37 62  
D-70032 STUTTGART,  
GERMANY

EXAMINER
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ANGLO, LHEIREN MAE ACOSTA

ART UNIT	PAPER NUMBER
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2832

MAIL DATE	DELIVERY MODE
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12/28/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/586,389

Applicant(s)

HORST ET AL.

Examiner

Lheiren Mae A. Anglo

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 17-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-23 and 29-31 is/are rejected.
- 7) ☒ Claim(s) 24-28 and 32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>20060717</u> . | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement filed 07/17/06 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 30 recites the limitation "several tappets" and "micro switches" in line 2.

There is insufficient antecedent basis for this limitation in the claim.

Claim 31 recites the limitation "micro switches" and "micro switches" in lines 1-2.

There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 17,18,20-23 and 29-31 rejected under 35 U.S.C. 102(a) as being anticipated by Yokoyama [EP 0832786].

In regard to claim 17, Yokoyama teaches in [Figs. 1,4 and 6] a steering column switch, comprising: at least one control lever [2]; an actuating element [3] cooperating with said control lever, said actuating element having a gate [fig. 4] disposed on an inner side thereof; a support [11]; at least one micro switch [10] housed within said support; and a tappet [3c,3e] guided within said support, said tappet having a first end cooperating with said gate and a second end cooperating with said micro switch.

In regard to claim 18, Yokoyama teaches in [Figs. 1,4 and 6] that the actuating element can be displaced transversely or parallel to a longitudinal axis of said control lever.

In regard to claim 20, Yokoyama teaches in [Figs. 1,4 and 6] that the micro switch comprises a switching element having a restoring force urging said tapped against said gate.

In regard to claim 21, Yokoyama teaches in [Figs. 1,4 and 6] that the tappet is disposed in a radial direction in said support, relative to a longitudinal axis of said control lever.

In regard to claim 22, Yokoyama teaches in [Figs. 1,4 and 6] that the micro switch is disposed in said support substantially in a region of a longitudinal axis of said control lever.

In regard to claim 23, Yokoyama teaches in [Figs. 1,4 and 6] that the first end of said tappet abutting said gate is rounded.

In regard to claim 29, Yokoyama teaches in [Figs. 1,4 and 6] that several gates [Fig. 4] are disposed on said actuating element next to each other in a longitudinal direction thereof.

In regard to claim 30, Yokoyama teaches in [Figs. 1,4 and 6] that several said tappets and associated said micro switches are disposed in said support.

In regard to claim 31, Yokoyama teaches in [Figs. 1,4 and 6] that micro switches are part of a switching matrix.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoyama [EP 0832786].

In regard to claim 19, Yokoyama teaches that the actuating element is designed as a sleeve. Yokoyama does not teach that the actuating element can be rotated about a longitudinal axis of the controller. It would have been obvious to one of ordinary skill in the art at the time of the invention to rotate the actuating element about a longitudinal axis of the controller since it is another way to actuate the switch.

***Allowable Subject Matter***

Claims 24-28 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In regard to claim 24, the references do not teach that the first end of said tappet abutting the gate comprises a roller. Claims 25-27 are dependent on claim 24.

In regard to claim 28, the references do not teach that the tappet is hollow and the second end abutting the micro switch is closed.

In regard to claim 32, the references do not teach that the micro switches are mutually switched via a binary code.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lheiren Mae A. Anglo whose telephone number is (571) 272-2730. The examiner can normally be reached on Monday to Friday 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lheiren Mae A. Anglo  
Examiner  
AU 2832

  
Ima

  
ELVIN ENAD  
SUPERVISORY PATENT EXAMINER  
26 DEC 07